

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SUSAN LYNN SCHMELTZLY	:	CIVIL ACTION
Plaintiff	:	
v.	:	
	:	
MARTIN O'MALLEY, <sup>1</sup>	:	
Commissioner of the Social	:	
Security Administration,	:	
Defendant	:	NO. 23-1629

**ORDER**

**AND NOW**, this 18<sup>th</sup> day of January 2024, for the reasons contained in the court's Memorandum of today, it is hereby **ORDERED** that Plaintiff's request for review (Document No. 11) is **GRANTED**, as follows:

1. The case is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g).
2. Upon remand, the ALJ shall reconsider whether Plaintiff's migraine headaches medically Listed Impairment 11.02. In doing so, the ALJ shall acknowledge that the medical record documents that Plaintiff suffered more frequent migraine headaches than are required under Paragraph B of Listed Impairment 11.02.

**BY THE COURT:**

/s/ Carol Sandra Moore Wells  
CAROL SANDRA MOORE WELLS  
United States Magistrate Judge

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<sup>1</sup> Martin O'Malley became Commissioner of the Social Security Administration, on December 20, 2023. Pursuant to Fed. R. Civ. P. 25(d), Mr. O'Malley is substituted as Defendant in this suit. No further action need be taken to continue this suit, pursuant to the last sentence of 42 U.S.C. § 405(g).